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PATENT

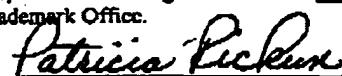
Attorney Docket No. BA-32448(1)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : BAKER et al.
Serial No. : 10/817,058
Filing Date : April 2, 2004
For : Method of Treating Cardiac Ischemia by Using Erythropoietin
Group Art Unit: 1653
Examiner : MAYER, Suzanne Marie
Confirmation No.: 2664

CERTIFICATION UNDER 37 CFR 1.8(a) and 1.10

I hereby certify that, on the date shown below, this correspondence is being transmitted to Fax No. 703-872-9306 addressed to Examiner MAYER at the US Patent and Trademark Office.

Date: 3-3-5

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE

Sir:

Applicant requests consideration of the pending claims in the above-identified patent application based on the remarks herein.

Amendments to the Claims are reflected in the listing of the claims, which begins on page 2 of this paper.

Remarks begin on page 9 of this paper.

Appendix with Declaration under 37 CFR § 1.131, begins at page 13 of this paper.

Serial No. 10/817,058

Response

Account No. 23-2053. If any additional extension and/or fee are required, please consider this a petition therefore and charge the required fee(s) to Account No. 23-2053.

It is submitted that the present claims are in condition for allowance, and notification to that effect is respectfully requested.

Respectfully submitted,

Kristine M Strothoff

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Dated: March 3, 2005

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PAGE 12/20 * RCVD AT 3/3/2005 2:53:24 PM [Eastern Standard Time] * SVR:USPTO-EFXRF-1/6 * DNIS:8729306 * CSID:414 224 5834 * DURATION (mm:ss):05:16

**RAM** Fee History
Query
Revenue Accounting and Management

Name/Number: 10817058

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Accounting Date	Sequence Num.	Tran Type	Fee Code	Fee Amount	Mailroom Date	Payment Method
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04/07/2004	00000125	1	<u>2201</u>	\$258.00	04/02/2004	CK
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03/09/2005	00000004	1	<u>2251</u>	\$60.00	03/03/2005	DA 232053
